

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

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|--------------------------------------|---|-------------------------|
| MARGARET R. JOHNSON, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | No: 1:14-cv-172-HSM-SKL |
| |) | |
| SUNTRUST BANK, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

AMENDED REPORT AND RECOMMENDATION

Before the Court is an Application to Proceed *In Forma Pauperis* (“IFP Application”) [Doc. 2] filed by Plaintiff Margaret R. Johnson, pro se. On June 9, 2014, the Court issued an order [Doc. 3], which addressed inadequacies in the IFP Application and complaint. In the order, the Court granted Plaintiffs 30 days (1) to revise Plaintiff Margaret R. Johnson’s IFP Application, (2) to submit IFP applications for Plaintiffs Margaret J. Kell and Catherine A. Johnson, and (3) to submit an amended complaint signed by all Plaintiffs. The Court warned Plaintiffs that failure to timely file new IFP applications and an amended complaint could result in the denial of the IFP Application and the dismissal of the complaint without further leave to amend.

Plaintiffs have not filed new IFP applications or an amended complaint within the 30 days granted by the Court. Accordingly, and for the reasons explained in the Court’s prior order [Doc.

3], I **RECOMMEND**¹ that Plaintiff Margaret R. Johnson's IFP Application [Doc. 2] be **DENIED**, and I further **RECOMMEND** that Plaintiffs' claims be **DISMISSED WITHOUT PREJUDICE** for failure to state a claim on which relief can be granted.

s/ Susan K. Lee

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE

¹ Any objections to this report and recommendation must be served and filed within fourteen (14) days after service of a copy of this recommended disposition on the objecting party. Such objections must conform to the requirements of Rule 72(b) of the Federal Rules of Civil Procedure. Failure to file objections within the time specified waives the right to appeal the district court's order. *Thomas v. Arn*, 474 U.S. 140, 149 n.7 (1985). The district court need not provide *de novo* review where objections to this report and recommendation are frivolous, conclusive and general. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986). Only specific objections are reserved for appellate review. *Smith v. Detroit Fed'n of Teachers*, 829 F.2d 1370, 1373 (6th Cir. 1987).